



Battle Creek Historic District Commission

Staff Report

Meeting: April 13, 2015

To: Historic District Commission

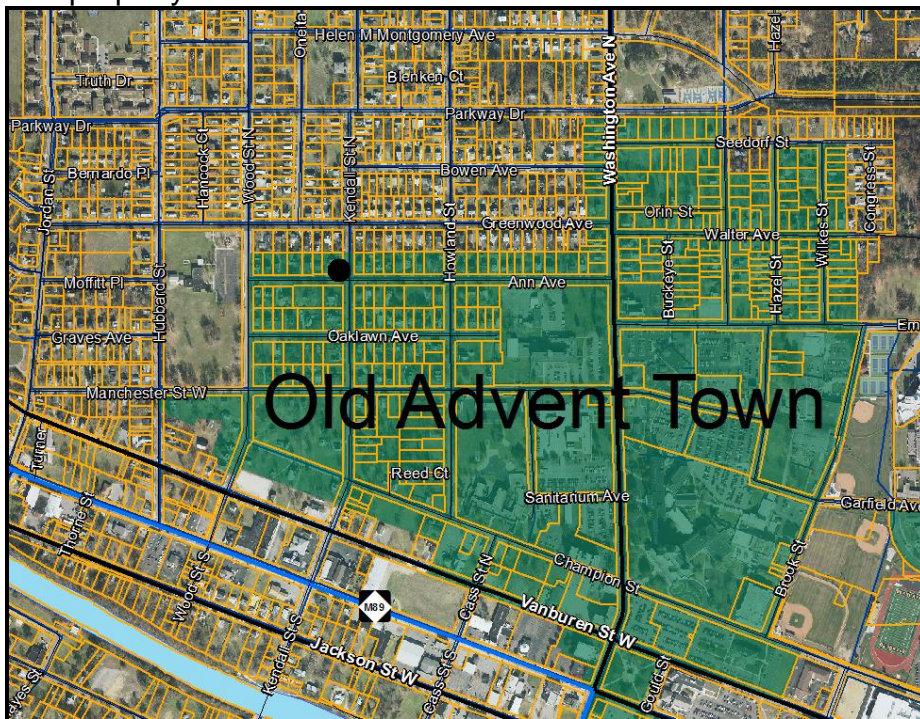
From: Glenn Perian, Senior Planner

Date: April 6, 2015

Subject: The petition filed by Jenise Furman for the issuance of a Determination of Appropriateness to install a chain link fence along portions of the property at 138 Ann Avenue and comply with zoning and historic district commission requirements.

Site:

The property is located in the Local Old Advent Town Historic District.



Summary of Request

The proposed project includes the installation of a fence along portions of the front yards bordering N. Kendall and Ann Avenue at 138 Ann Avenue that will comply with zoning requirements and meets HDC approval requirements for the issuance of a Certificate of Approval. The applicant has provided an aerial of the specific location of the proposed fencing. Additionally, we are expecting the applicant at the meeting to answer any questions you might have relating to the project.

Public Notice Requirements:

Public notice has occurred as outlined under MCL Section 399.205 Section 5 (6)...*"the business that the commission may perform shall be conducted at a public meeting of the commission held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, as amended, being sections 15.261 of 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976, as amended."*

Applicable HDC Guidelines and Analysis for a Certificate of Appropriateness to install a deck and fencing at 138 Ann Avenue.

This property is reviewed in accordance with City of Battle Creek Building and Housing Code Chapter 1470 "Historic Preservation", as amended, the Michigan's Local Historic Districts Act, as amended, and the criteria for the National Register of Historic Places as outlined in the Secretary of the Interior's Standards and Guidelines. We would like you to remember that fences are allowed on all properties in the City and we treat them as an essential property right for all properties. It is our position that we generally recommend approval, providing the request is consistent with the property and surrounding neighborhood.

Specifically, the Commission shall follow Section 1470.09, as:

(b) The Commission shall also consider all of the following:

- (1) The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area.***
 - (2) The relationship of any architectural features of the resource to the rest of the resource and the surrounding area.***
 - (3) The general compatibility of the design, arrangement, texture, and materials proposed to be used.***
 - (4) Other factors, such as aesthetic value that the Commission finds relevant.***
- (c) The Historic District Commission shall review and act upon only exterior features of a resource and shall not review and act upon interior arrangements...***

And

1470.17 PRESERVATION OF HISTORIC FEATURES.

- (a) Every reasonable effort shall be made to provide a compatible use for a resource which requires minimal alteration of the building, structure or site and its environment, or to use the resource for its originally intended purpose.*** This project includes adding a chain link fence to portions of the front yards at 138 Ann Avenue. As mentioned above, we consider fences to be a property right for everyone in the City

and think this proposal is compatible for the neighborhood considering there are 3 properties on the same block with chain link fences in the front yard and one directly across the street on N. Kendall.

- (b) ***The distinguishing original qualities or character of a resource and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features shall be avoided when possible.*** We do not believe the proposal violates this standard.
- (c) ***All resources shall be recognized as products of their own time. Alterations that have no historic basis and which seek to create an earlier appearance shall be discouraged.*** We find that the proposed style of fencing is compatible with the property and surrounding area and the proposal is acceptable for the property.
- (d) ***Changes which may have taken place in the course of time are evidence of the history and development of a resource and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.*** Staff does not believe that any features are being removed with this project and anything added (fence) could be removed in the future if needed.
- (e) ***Distinctive stylistic features or examples of skilled craftsmanship which characterize a resource shall be treated with sensitivity.*** Staff does not believe this requirement is relevant with this project.
- (f) ***Deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other resources.*** The proposed work will not be repairing or replacing. The fence is a new addition to the property.
- (g) ***The surface cleaning of resources shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic materials shall not be undertaken.*** Staff does not believe this standard is relevant to this project.
- (h) ***Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.*** Staff does not think this applies to this project.

- (i) ***Contemporary design for alterations and additions to existing resources shall not be discouraged when such alterations and additions do not destroy significant historic, architectural or cultural material and when such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.*** Staff believes that the proposed work is consistent and compatible with the property and surrounding neighborhood and therefore acceptable for this project.
- (j) ***Whenever possible, new additions or alterations to resources shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the resource would not be unimpaired.*** Staff believes that the fencing could be easily removed in the future if needed.
- (Ord. 14-97. Passed 8-5-97.)**

Recommendation:

The work proposed is for the installation of a fence at 138 Ann Avenue. Staff believes the proposed work complies with standards outlined in Chapter 1470 and should be approved. As contained herein, staff is not aware of any issues that the Commission might find in conflict with Chapter 1470 "Historic Preservation", the Michigan Local Historic Districts Act or the Secretary of the Interior's Standards and Guidelines.

Therefore, planning staff recommends approval of a certificate of appropriateness for the proposed work outlined in the plan submitted for the fence at property located at 138 Ann Avenue, as the request meets the standards outlined in Chapter 1470.09 "Review of Applications", Chapter 1470.17 "Preservation of Historic Features" and the Secretary of the Interior's Standards and Guidelines, as outlined in the staff report.

